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| <p>1 police department and the law that you're trained 2 on, what crime do you understand occurred? 3 MR. SIMOPOULOS: Are we asking him 4 hindsight again? 5 MR. PURICELLI: Yes. Because I'm giving 6 him the benefit of the doubt. 7 MR. SIMOPOULOS: Because I object to the 8 compound narrative questions. This is all 9 clearly misleading and misstating facts. 10 MR. PURICELLI: Well, I don't mean to 11 mislead him. 12 BY MR. PURICELLI: 13 Q Did I say any facts in your mind that you 14 didn't believe to be true? 15 A We never would have granted custody to him 16 in the first place if we believed this to be no 17 good. 18 Q He wouldn't have gotten the kids; correct? 19 A Right. We would not have facilitated that 20 at all. 21 Q All right. Give you the benefit of that 22 doubt. I'm past all that. I'm at the point now 23 that if you didn't believe he had a good order. He 24 didn't have an agreement and neither did she. Is 25 leaving Virginia within that factual scenario in</p> | <p>1 BY MR. PURICELLI: 2 Q Sure. Was Mr. Bush being charged with 3 parental abduction in the kidnapping statute because 4 the Richmond Police Department facilitated him to 5 pick up the children and leave Virginia with the 6 kids, or did he do something else? 7 A This was done because this was determined 8 to be invalid. It was presented as valid and 9 applicable. And he left and took the kids against 10 the will of the mother out of the state. 11 Q And that constitutes abduction? 12 MR. SIMOPOULOS: Objection to form. Go 13 ahead. I think we've gone through this about 14 three times now. He testified that he had a 15 valid order that was overturned. What is the 16 point of the question any further? I think 17 it's starting to go beyond ... 18 BY MR. PURICELLI: 19 Q The point of the question is, is he was 20 charged with child abduction. They're his children; 21 correct? 22 A Parental abduction. 23 Q Okay. I tried to find out from you what 24 the elements were for that offense. You don't 25 recall them all. Is that fair?</p> |
| <p>1 your mind, in your training of the law and your 2 policies of the police department, what crime would 3 he have committed? 4 A It would have been different because we 5 would have had to investigate further as to the 6 disposition of the mother because she had custody of 7 the children. 8 Q And how would you have investigated? What 9 would you have done? 10 A We would have spoken to her. 11 Q And asked her what? 12 A We would have asked her, do you want him 13 to take the children or not? 14 Q Assume she says no. I moved away. I'm 15 trying to get away from him. Let's assume she said 16 that. 17 A Then like I said, we would not have 18 facilitated the removal of the children and given 19 them to him. 20 Q So was he being charged with parental 21 abduction because you believed you were being 22 tricked by him to help him or because he violated 23 some other law? 24 MR. SIMOPOULOS: Objection to form. 25 THE WITNESS: Repeat that.</p> | <p>1 A Not off the top of my head. 2 Q So in general you gave me an idea of what 3 you believed the elements were. Isn't that what I 4 asked? 5 A Yes, sir. 6 Q Okay. And I asked you would it be child 7 abduction if neither parent had an order giving them 8 custody, neither parent had an agreement as to who 9 had custody. The parent who had the children in 10 Virginia has no authority granted to her from the 11 courts of Pennsylvania to be in Virginia with the 12 kids. Would it be a crime for the parent from 13 Pennsylvania to come to Virginia to pick up his kids 14 and return under that fact? 15 MR. SIMOPOULOS: Objection to form. I 16 don't think there's a question in there. 17 THE WITNESS: That's where I said I'd have 18 to look at the law and see what exactly it 19 enumerates, what it allows for, if there are 20 any exceptions. 21 BY MR. PURICELLI: 22 Q So sitting here now you can't tell me that 23 violates the law? 24 A I can look in a book and tell you in a 25 short period of time.</p> |

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| 1 | Q I asked you if you wanted to look in a 2 book. 3 A I'm sorry I didn't. 4 Q I'm sure your attorney has one. I'm not 5 trying to trick you. 6 MR. SIMOPOULOS: Are we asking hindsight 7 questions again? 8 MR. PURICELLI: No, we're not. If he 9 needs to look at a book and you have a book 10 please give him the book. I'm not here to 11 trick him. 12 MR. SIMOPOULOS: Again I'm going to 13 object. What is the point of examining the 14 criminal code? Don't you have that? Shouldn't 15 you have brought that with you? 16 MR. PURICELLI: I didn't know I'd -- 17 MR. SIMOPOULOS: You're the one that's 18 going down the hindsight -- 19 BY MR. PURICELLI: 20 Q Let's put it this way, Sergeant. The 21 charges were dropped; weren't they? 22 A Yes. 23 Q Dismissed by the Court; weren't they? 24 A I don't know if they were not pros'ed or 25 dropped or dismissed or what. | 1 of questioning. 2 MR. PURICELLI: Court Reporter, I don't 3 mean to do this to you, but could you read back 4 what I'm asking for. 5 (Read back was provided.) 6 MR. PURICELLI: That's fine. That's fine. 7 Will you agree he said, May have? I'm going to 8 ask him questions if he thinks he was. 9 MR. SIMOPOULOS: I'm going to object to 10 that line of questioning. 11 MR. PURICELLI: Okay. It's objected to. 12 BY MR. PURICELLI: 13 Q Officer, I don't mean to delay for the 14 record. If you don't recall tell me you don't 15 recall. If you say that you might have been there 16 and you believe that to be true, tell me that. But 17 I am going to ask you questions and see if things 18 prompt your memory if you may have been there. I 19 don't mean to belabor. 20 Now, assuming you may have been 21 there, me telling you that it's been represented 22 that the judge said to the Commonwealth's Attorney, 23 "You don't have a crime here" does that help refresh 24 your memory as to whether you were there or weren't 25 there? |
| 1 | Q Were you present for any of the hearings? 2 A I don't believe so. 3 Q You weren't present for the bail hearing? 4 A I may have been. I don't recall. 5 Q If you were there do you recall the judge 6 saying there's no crime here? 7 MR. SIMOPOULOS: Objection. 8 THE WITNESS: Like I said, I don't recall 9 that. 10 BY MR. PURICELLI: 11 Q Okay. Well, me having represented the 12 judge said at the bail hearing, "There's no crime 13 here, Counselor" talking to the Commonwealth's 14 Attorney, does that refresh your memory as to what 15 occurred at the bail hearing? 16 MR. SIMOPOULOS: Objection to form. 17 THE WITNESS: I don't believe I was at the 18 bail hearing. 19 BY MR. PURICELLI: 20 Q I thought you just told me you were. 21 A No. 22 Q If you weren't I won't ask you anymore 23 questions. 24 MR. SIMOPOULOS: Objection. Misstatement 25 of the facts. I'm going to object to that line | 1 A It doesn't help. I don't recall if I was 2 there or not. 3 Q Assuming that the bail judge said that for 4 the purposes of this question, assume the judge said 5 that, would you have dismissed the charges? 6 A That's not my decision to make. 7 Q Would you have communicated with the 8 Commonwealth's Attorney not to pursue the charges? 9 A I assume we would have met about it and 10 discussed the merits of the case at that point. 11 Q Did you meet at any time with the 12 Commonwealth's Attorney about the merits of the 13 case? 14 A Prior to obtaining the warrants we 15 discussed the facts and circumstances and merits of 16 the potential criminal case. 17 Q And you told the Commonwealth's Attorney 18 everything you've testified to today; correct? 19 A Yes. 20 Q Okay. You didn't tell him anything 21 different than what you testified to today; correct? 22 Maybe different words but. 23 A I don't recall. 24 MR. SIMOPOULOS: If you don't recall, tell 25 him that. |

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| 1 | THE WITNESS: I don't recall. | 1 | Q Where? |
| 2 | BY MR. PURICELLI: | 2 | A Pennsylvania. |
| 3 | Q Okay. After Mr. Bush was in Virginia did | 3 | Q Knowing that he was going to Pennsylvania |
| 4 | you have a discussion with the Commonwealth's | 4 | with the kids and you had warrants what, if |
| 5 | Attorney about this case? | 5 | anything, did you do? |
| 6 | MR. SIMOPOULOS: Objection. Asked and | 6 | A I don't exactly recall. |
| 7 | answered a couple times now. | 7 | Q Did you write it down? |
| 8 | THE WITNESS: Did I speak with the | 8 | A No. I don't believe I wrote it down. |
| 9 | Commonwealth's Attorney about the case? | 9 | Lieutenant Russell was handling the communications |
| 10 | BY MR. PURICELLI: | 10 | with the other agencies at that time. |
| 11 | Q After Mr. Bush had been arrested? | 11 | Q So you can't tell me you didn't contact |
| 12 | A Yes. | 12 | the Pennsylvania authorities? |
| 13 | Q Okay. How many times did you talk to the | 13 | A I can't tell you that I did. I'm not |
| 14 | Commonwealth's Attorney after he was arrested? | 14 | saying that I didn't. |
| 15 | A I don't know. | 15 | Q So if the Pennsylvania authorities say you |
| 16 | Q Do you know whether or not Mr. Bush had | 16 | did contact them you have no reason to dispute that? |
| 17 | been incarcerated as a result of your warrants? | 17 | MR. SIMOPOULOS: Objection to form. |
| 18 | A He was arrested and incarcerated is what I | 18 | THE WITNESS: It depends who it was. I |
| 19 | understand. | 19 | mean, I remember speaking to some individuals. |
| 20 | Q After the warrants were issued what if | 20 | BY MR. PURICELLI: |
| 21 | anything did you do to facilitate the arrest? | 21 | Q Tell me what you remember. |
| 22 | A I just obtained the warrants which | 22 | A I remember speaking to Sergeant Tripp. I |
| 23 | resulted in the arrest. | 23 | remember speaking to an FBI agent. That's about it. |
| 24 | Q You physically had them? Did you leave | 24 | That's all I remember as far as other agencies and |
| 25 | them on your desk? Put them in NCIC? Did you give | 25 | contacts with this case and the arrest of Mr. Bush. |
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| 1 | them to a detective? What did you do? | 1 | Q Do you call the Bucks County District |
| 2 | A I believe I filed them with the | 2 | Attorney? |
| 3 | information desk which is the normal procedure that | 3 | A I did not do that. |
| 4 | we do. | 4 | Q Did you call Bucks County Sheriff's |
| 5 | Q Okay. Tell me the procedure that Richmond | 5 | Office? |
| 6 | City Police Department operates under when an | 6 | A I don't believe I did. I believe |
| 7 | officer obtains felony warrants for parental child | 7 | Lieutenant Russell was doing that. |
| 8 | abduction. | 8 | Q Were you keeping in contact with him to |
| 9 | A Warrants are obtained and carried from the | 9 | see what he was doing so you weren't duplicating his |
| 10 | magistrates office over to the information desk | 10 | acts? |
| 11 | where they're logged in and put in file in our | 11 | A He indicated to me that he was handling |
| 12 | system. Or in this case they would be logged into | 12 | that side of the case. |
| 13 | NCIC so if other jurisdictions came across the | 13 | Q How did Russell know you even obtained |
| 14 | individual and there was a hit they could confirm | 14 | warrants? |
| 15 | the existence of warrants for an individual. | 15 | A Because we met with the Commonwealth's |
| 16 | Q And then is it then the practice that you | 16 | Attorney over the phone prior to that, and based on |
| 17 | don't go looking for the person, or do you allow | 17 | the substance and conversation I told him I was |
| 18 | time for -- | 18 | going to get warrants. He stayed in his office and |
| 19 | A If we know where the person is we notify | 19 | was on the phone. |
| 20 | the appropriate jurisdiction. | 20 | Q With who? |
| 21 | Q Did you know where Mr. Bush was? | 21 | A I don't know at that time. |
| 22 | A At the time I obtained the warrants I | 22 | Q Nobody that has anything to do with this |
| 23 | didn't exactly know where he was, no. | 23 | case? |
| 24 | Q Did you have an idea where he was? | 24 | MR. SIMOPOULOS: Objection to form. He |
| 25 | A Yes. | 25 | just answered he didn't know. |

Deposition of Sergeant Sean Adams

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| 1 | MR. PURICELLI: He might have told him 2 later. 3 MR. SIMOPOULOS: Asked and answered. 4 BY MR. PURICELLI: 5 Q All right. You got your warrants. You 6 came back. You put it in a box for somebody to 7 enter it in. Do I understand that correctly? 8 A I don't know if I handed it to somebody at 9 the information desk or what the next step was. 10 Q You don't remember? 11 A I don't remember. 12 Q What should have happened based on policy? 13 A I should have handed it to the person at 14 the information desk. But when we're working a case 15 and communicating with another agency for serving of 16 a warrant, it's imminent we know where somebody is, 17 or it's going to be served in an immediate fashion 18 then sometimes we'll just fax a copy. 19 Q In your file you identified a sticky 20 yellow pad with Mr. Bush's information on it; didn't 21 you? 22 A Yes, I did. 23 Q And I told you you didn't need to copy 24 that; correct? 25 A Correct. | 1 MR. SIMOPOULOS: I thought we gave them to 2 you. 3 MR. PURICELLI: It's going to be the 4 missing child reports and those documents 5 there. 6 MR. SIMOPOULOS: I'm sure I've given you 7 those already. 8 MR. PURICELLI: I've identified what I 9 don't have. And I don't have a DMV printout 10 for Mr. Bush's address. So since we've 11 established already that he's given me 12 everything except the court filings it's 13 apparent that you didn't do a search of his tag 14 number. 15 BY MR. PURICELLI: 16 Q Is there any reason that -- 17 A I didn't print a copy of it. 18 Q Oh, okay. You may have run it? 19 A Correct. 20 Q So you knew his address then? 21 A I may have had an address for him, yes. 22 Q All right. Well, you have an address or I 23 should say there is an address that appears on the 24 warrants; correct? Adams 2 (indicates.) 25 A Correct. |
| 1 | Q Did that have his address on it? 2 A It has an address on it. Would you like 3 me to get it? 4 Q Yes. You can look at it. 5 A Okay. 6 Q Did it have the phone number? 7 A No, it doesn't. 8 Q Does it have a license plate number on it? 9 A It has a license plate number on it. 10 Q Vehicle description? 11 A Yes. 12 Q Did you run a search for the address based 13 on the tag? 14 A I believe I -- no. I don't recall. 15 Q Do you want to check your file to see if 16 you have records indicating that you ran a motor 17 vehicle check? 18 A I think the only DMV records that I have 19 are from Ms. Bush. 20 Q Just wanted to know if you did or didn't. 21 MR. PURICELLI: By the way, the copies 22 that they made for me, do you have them? 23 MR. SIMOPOULOS: Which copies? 24 MR. PURICELLI: His reports from the 25 records and stuff like that. | 1 Q Do you know how that address got on the 2 warrants? 3 A It's the same address that's on the sticky 4 note here. That was the address that I gave to the 5 magistrate. Otherwise it wouldn't appear on the 6 warrants. 7 Q So you had an address for him; right? 8 A (Nods.) 9 Q You knew he was going to Pennsylvania; 10 correct? 11 A (Nods.) 12 Q You have to say it orally for the record. 13 She can't take down nods and things. 14 A Yes. 15 Q So since you knew where he was going. You 16 knew there was a warrant for his arrest. Did you or 17 somebody at your direction contact the local police 18 department with the address you had? 19 A I don't know whether Lieutenant Russell 20 did of his own volition. I don't recall directing 21 him to do that. 22 Q Is there any policy in your police 23 department as to a person that's out of state to 24 contact the local police department and let them 25 know you have a warrant? |

Deposition of Sergeant Sean Adams

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| 1 | A Sure. You can do that. | 1 | Q In Virginia? |
| 2 | Q Is there such a policy? | 2 | A Yes. |
| 3 | A There's a policy on cooperating with other | 3 | Q Who did you talk to? |
| 4 | law enforcement agencies. It doesn't specifically | 4 | A I talked to Candice Rose. |
| 5 | delineate the necessary procedure for just serving | 5 | Q What did you tell Candice Rose? |
| 6 | warrants. | 6 | A I told her -- let's see. (Reviews |
| 7 | Q Okay. So your department does not have a | 7 | documents.) I can't recall exactly what I told her, |
| 8 | written policy on what the actions of an officer are | 8 | but the warrants that were on file we faxed to her. |
| 9 | once they have a warrant for the arrest of a person. | 9 | Q (Reviews documents.) Sorry. I can't seem |
| 10 | Do I have that right? Do I understand that | 10 | to find that piece of paper that you're reading from |
| 11 | correctly? | 11 | in the packet that you just gave me. |
| 12 | A Well, what we do is with the warrant on | 12 | MR. SIMOPOULOS: It should be there. |
| 13 | file at our information desk, if we know where the | 13 | THE WITNESS: It's a fax cover sheet. |
| 14 | individual is you can contact the appropriate | 14 | MR. PURICELLI: (Reviews documents.) |
| 15 | jurisdiction were you believe that person to be so | 15 | MR. SIMOPOULOS: We'll just make a copy of |
| 16 | that the local jurisdiction can arrest the | 16 | the file and do it that way. |
| 17 | individual. | 17 | MR. PURICELLI: I just didn't want to kill |
| 18 | Q Based on the information you had you knew | 18 | trees if we didn't have to. Do you want to |
| 19 | where he would be, an address; correct? | 19 | call that Adams 1D since it's part of the |
| 20 | A Possibly, yes. | 20 | packet? Or just agree to attach it to Adams 1? |
| 21 | Q So you had the ability to contact the | 21 | MR. SIMOPOULOS: You can call it whatever |
| 22 | local police department in Pennsylvania to | 22 | you want. |
| 23 | facilitate an arrest on your warrants; correct? | 23 | MR. PURICELLI: All right. By agreement, |
| 24 | A Yes. I had the ability. | 24 | we've incorporated the other documents that |
| 25 | Q Did you act on that ability? | 25 | were in his file into Adams 1 so we can call |
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| 1 | A I don't recall if I did or if it was | 1 | that his file. Is that acceptable? |
| 2 | Lieutenant Russell. But one of us contacted that | 2 | MR. SIMOPOULOS: Fine. |
| 3 | agency or the federal agency to facilitate that | 3 | BY MR. PURICELLI: |
| 4 | arrest. | 4 | Q You showed me a fax copy bearing your name |
| 5 | Q And you say you personally contacted | 5 | checked off for review. It's in the message that |
| 6 | someone else. You don't recall who it was? Did I | 6 | says Candice. Did I describe the document fairly |
| 7 | understand that? | 7 | accurate? |
| 8 | MR. SIMOPOULOS: Objection to form. | 8 | A Yes. |
| 9 | BY MR. PURICELLI: | 9 | Q Just for the purpose of the record so we |
| 10 | Q Did you call anybody in Pennsylvania? | 10 | can find it again, it has the name Candice. Do you |
| 11 | MR. SIMOPOULOS: Objection. Asked and | 11 | know who that is? |
| 12 | answered. You've already asked this question | 12 | A I believe it's Candice Rose. |
| 13 | three times. | 13 | Q Okay. And that's the person you spoke to |
| 14 | MR. PURICELLI: No. He says Tripp called | 14 | at the FBI? |
| 15 | him. | 15 | A Yes, sir. |
| 16 | THE WITNESS: That's what my notes | 16 | Q Did you know her before you contacted her? |
| 17 | indicate is that Tripp called me. I don't | 17 | A No, sir. |
| 18 | recall initiating contact with anyone in | 18 | Q Okay. So this was this first contact you |
| 19 | Pennsylvania. | 19 | had ever with her? |
| 20 | BY MR. PURICELLI: | 20 | A Yes, sir. |
| 21 | Q You indicated that you may have contacted | 21 | Q Does this typing here accurately reflect |
| 22 | the FBI. Is that what you said? | 22 | the conversation you had with her? |
| 23 | A Yes. | 23 | A That's what I said. |
| 24 | Q In Pennsylvania? | 24 | Q Okay. PPO stands for what? |
| 25 | A Yes. The local FBI. | 25 | A Preliminary Protective Order. |

Deposition of Sergeant Sean Adams

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| 1 | <p>Q Did you talk to anybody other than Candice at the FBI?</p> <p>2 A Not that I recall.</p> <p>3 Q What if anything did you tell Candice?</p> <p>5 A May I see that?</p> <p>6 Q Sure. (Document proffered.)</p> <p>7 A (Reviews documents.) We discussed the fact that warrants were either on file or going to be on file, and I believe Detective Lawson faxed her the ones.</p> <p>11 Q So you may have contacted Candice before you actually had the warrants?</p> <p>13 A It didn't indicate what time on that fax, but I have another fax cover sheet for the same person with Detective Lawson that sent the warrants. I don't know which time those -- what time exactly both of these occurred.</p> <p>18 Q You don't have a receipt printout?</p> <p>19 A No, sir; I don't.</p> <p>20 Q What reason if any would there have been to have contacted the FBI before you had the warrants?</p> <p>23 A Maybe from a missing persons standpoint. I'm just speculating.</p> <p>25 Q Don't speculate. I'm sure your attorney</p> | <p>1 A I spoke to her; yes, sir.</p> <p>2 Q But the part you just mentioned that it was going to be assigned to the fugitive task force, was that based on your belief from your conversation with Candice, or was that belief from what someone else told you?</p> <p>7 A I don't know.</p> <p>8 Q Did anybody else talk to you about the fugitive task force and getting your warrants?</p> <p>10 A I believe -- let's see. I know I spoke with Lieutenant Russell about the possibility of having him assigned to the fugitive task force. They have contacts with the FBI.</p> <p>14 Q Did you have communications with Lieutenant Russell about the course of action you should take to cause the arrest of Mr. Bush?</p> <p>17 A Yes.</p> <p>18 Q What was the conversation?</p> <p>19 A Part of it was about whether the fugitive task force would be the route to go or another route.</p> <p>22 Q What other route was available to you?</p> <p>23 A I don't recall at this time. It was local police, state police, FBI fugitive task force.</p> <p>25 Q Did anybody contact the U.S. Marshal's</p> |
| 1 | <p>1 doesn't want you to guess.</p> <p>2 A I don't know that that happened.</p> <p>3 Q Had you contacted the FBI before for some reason in regards to a situation similar to what we have with Mr. Bush before you got a warrant?</p> <p>6 A I don't recall.</p> <p>7 Q The fax cover sheet doesn't indicate that you have the warrants; correct?</p> <p>9 A Doesn't indicate that I do and doesn't indicate that I don't.</p> <p>11 Q And you've indicated that there's another fax cover sheet that was prepared by Detective Lawson that indicates that the warrants were being faxed over to the FBI?</p> <p>15 A Yes, sir.</p> <p>16 Q Why were you contacting the FBI?</p> <p>17 A It involved an abduction across state lines at this point.</p> <p>19 Q What if anything did the FBI tell you?</p> <p>20 A Told me to fax the warrants or have the warrants faxed and any other pertinent information. And I believe it was going to be assigned to their fugitive department. Something along those lines. That was the information.</p> <p>25 Q Is that personally through Candice?</p> | <p>1 Office?</p> <p>2 A I believe they're part of the task force, part of our fugitive task force here in the city.</p> <p>4 Q Did you come into information that members of the Richmond Police Department were working on loan to that task force?</p> <p>7 A I'm not sure I understand the question.</p> <p>8 Q Are there members of the Richmond Police Department that work on that task force?</p> <p>10 A Yes.</p> <p>11 Q Is that task force out of the U.S. Marshal's office?</p> <p>13 A They work out of headquarters and probably the U.S. Marshal's office too.</p> <p>15 Q Did you know who the officers were that were working on that task force from the Richmond Police Department?</p> <p>18 A Yes, sir.</p> <p>19 Q What are their names?</p> <p>20 A Sandy Leadbetter and Brian Pendagrass.</p> <p>21 Q Did anybody from your unit including yourself reach out to them to assist in the arrest of Mr. Bush?</p> <p>24 A I don't recall.</p> <p>25 Q You don't recall if you asked them to help</p> |